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7 JASPER BAILEY, G60744,  
8 Petitioner,  
9 v.  
10 RON E. BORLA, Warden,  
11 Respondent.

Case No. [24-cv-00316-CRB](#) (PR)

**ORDER OF DISMISSAL**

(ECF No. 1)

12 On January 19, 2024, the clerk filed as a new habeas action petitioner's pro se prisoner  
13 "Motion to Dismiss Detainer and Remove Deportation Hold." ECF No. 1 at 1. The court notified  
14 petitioner in writing at that time that the action was deficient because petitioner did not file an  
15 actual habeas petition or pay the requisite \$5.00 filing fee or, instead, submit a signed and  
16 completed court-approved in forma pauperis application, including a completed certificate of  
17 funds in the prisoner's account and a copy of the prisoner's trust account statement for the last six  
18 months. See 28 U.S.C. § 1915(a)(2). Petitioner was advised that failure to file the requested items  
19 within 28 days would result in dismissal of the action.

20 More than 38 days have passed now; however, petitioner has not provided the court with  
21 the requisite items or sought an extension of time to do so. This action accordingly is  
22 DISMISSED without prejudice.

23 The clerk is instructed to close the file and terminate as moot the motion appearing on ECF  
24 as item number 1.

**IT IS SO ORDERED.**

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26 Dated: February 27, 2024

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CHARLES R. BREYER  
United States District Judge